

Environmental Assessment

Swamp Creek Aquatic and Riparian Enhancement Project



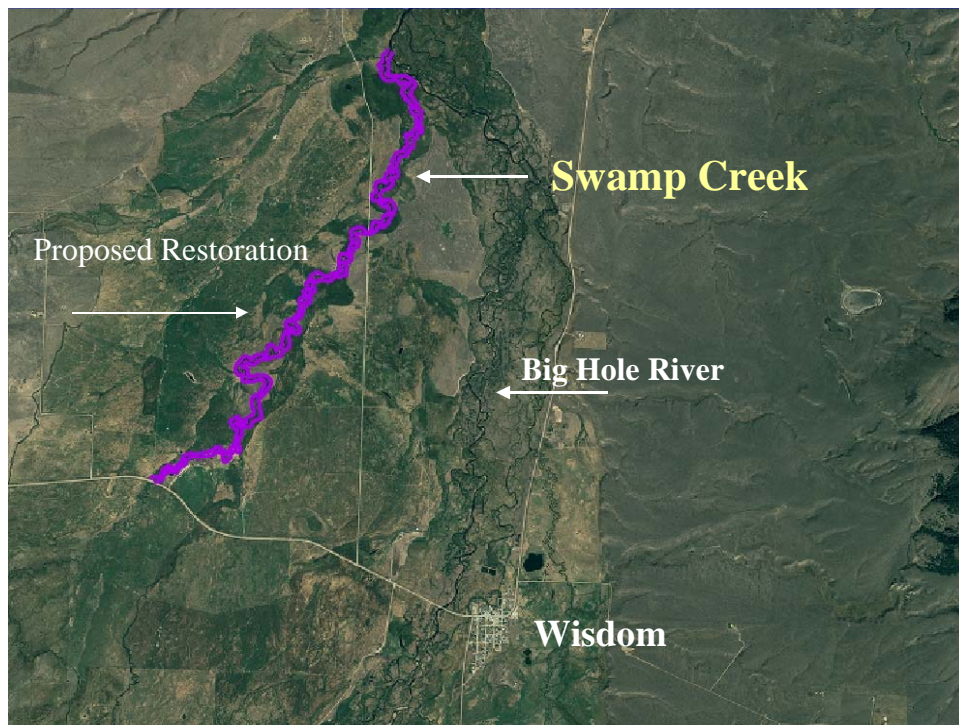
***Montana Fish,
Wildlife & Parks***

Environmental Assessment MEPA, NEPA, MCA 23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of proposed state action:** Montana Fish, Wildlife & Parks (FWP) is proposing to provide funding and implement a project to enhance the riparian vegetative community, streambank stability, and stream channel morphology in a 6.25 mile-reach of Swamp Creek in the Big Hole River Drainage. The intent of this project is to enhance habitat for fluvial (river dwelling) Arctic grayling and other native and sport fish species within this reach of the Swamp Creek.
2. **Agency authority for the proposed action:**
Montana Fish, Wildlife & Parks (FWP) is required by law to implement programs that manage sensitive fish species in a manner that assists in the maintenance or recovery of those species, and that prevents the need to list species under 87-5-107 or the federal Endangered Species Act. Section 87-1-201(9)(a), M.C.A.
3. **Name of project:** Swamp Creek Aquatic and Riparian Habitat Enhancement Project
4. **Name, address and phone number of project sponsor (if other than the agency):**
5. **Anticipated Schedule:**
Estimated Construction Commencement Date: September 2009
Estimated Completion Date: December 2009
Current Status of Project Design (% complete): 90% complete
6. **Location:**
The project site is located on property owned by three private landowners and one State trust parcel managed by Montana Department of Natural Resources and Conservation (DNRC). The State Trust Parcel is located at T2S-R15W Section 16. The private land includes property owned by John and Phyllis Erb, (T2S, R15W, Sections 17, 20 and 29), John Nelson (T2S, R15W, Sections 20 and 29), and the Harrington Company (T2S, R15W, Sections 9 and 20). The Project is located approximately 3 miles west of the community of Wisdom in Beaverhead County (Figure 1).

Figure 1. Swamp Creek Restoration Project located west of Wisdom, Montana.



7. Project size:

	<u>Acres</u>		<u>Acres</u>
(a) Developed:		(d) Floodplain	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
(existing shop area)		Irrigated cropland	<u>0</u>
(b) Open Space/	<u>0</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
(c) Wetlands/Riparian	<u>125</u>	Rangeland	<u>0</u>
Areas		Other	<u>0</u>

8. Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.

(a) Permits: permits will be filed at least 2 weeks prior to project start.

<u>Agency Name</u>	<u>Permits</u>
Montana Fish, Wildlife & Parks	SPA 124
U.S. Army Corps of Engineers	Section 404 Permit
Department of Environmental Quality	318 Authorization

(b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
Montana Fish, Wildlife & Parks	Approximately \$ 300,000

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

<u>Agency Name</u>	<u>Type of Responsibility</u>
Montana Department of Natural Resources and Conservation	Water Rights, State Section Management

9. Narrative summary of the proposed action:

The upper Big Hole River Basin supports the last fluvial Arctic grayling population in the lower 48 United States. These fish are classified as a "species of special concern" by FWP because of their reduced abundance and diminished distribution.

A degraded native riparian vegetation community, limited pool habitats, eroding stream banks, and an over-widened channel characterize the 6.25-mile reach on Swamp Creek that is proposed for restoration. The existing degraded conditions are primarily due to intentional removal of native willow species and overgrazing within the riparian corridor. The degraded channel and riparian conditions currently are providing marginal habitat for fluvial Arctic grayling and other aquatic species.

The project objectives are to improve the native riparian vegetation species community which will stabilize streambanks, reduce streambank erosion, and over time, narrow and deepen the stream channel producing complex, high quality, fish habitat. Carrying capacity and overall numbers of grayling and other native and sportfish species will improve.

The treatments involved in the project include: 1) Stabilizing and establishing vegetation on a total of 8,100 linear feet of stream bank and 2) improving instream habitat by relocating 2,600 feet of Swamp Creek into a historic channel. Bank stabilization and vegetation will include 1) transplanting approximately 600 mature willows that will be planted on the outside streambanks; 2) resloping and transplanting sedge sod mats on approximately 4,860 feet of eroding banks; and 3) planting approximately 1,000 rooted willow sprigs. Channel relocation will include excavating approximately 3,500 cubic yards of sediment out of historic channel, resloping and transplanting sedge mats on approximately 3,120 linear feet of stream bank and transplanting approximately 70 mature willow clusters. Excavated material from the historic channel will be used to construct a series of wetlands in the deactivated channel.

A newly constructed riparian fence will be used to facilitate the implementation of a grazing management plan and allow vegetation to establish. The riparian fence is designed to allow wildlife to access important habitats and corridors by including numerous stream crossings and dropped rail jackleg panels. The grazing management plan will consist of up to five years of complete rest from livestock grazing for most of the fenced area. A deferred, short duration grazing management plan will be used on the reaches of the project area that will not be rested and on the entire project area once the period of rest has ended. All of the private land and the state lease land is enrolled in the Big Hole Arctic Grayling Candidate Conservation Agreement with Assurances Program (CCAA). Under this program, a site-specific conservation plan is developed with each landowner that includes management objectives for riparian areas. As part of the Site Specific Conservation Plan, FWP will develop a grazing management plan that includes noxious weed management and a monitoring plan with all of the landowners and the state land lessee involved in this project. The CCAA requires FWP to conduct compliance monitoring biannually.

10. Alternatives:

Alternative A: No Action

Under this alternative, the stream corridor and riparian area will benefit from the newly constructed riparian fence and the grazing management plan. However, unstable streambanks would continue to erode until they reached a stable angle of repose and re-vegetation occurred naturally. The time period required for recovery for this alternative is unknown but certainly would be significantly longer than for the preferred alternative. The carrying capacity for fluvial Arctic grayling and other species of fish will remain below potential until the riparian vegetative community improves to create stream habitat.

Alternative B: Proposed Action

The proposed alternative is designed to actively restore the overall aquatic and riparian habitat within a 6.25-mile reach of Swamp Creek. Fluvial Arctic grayling, as well as other native and sportfish species, would benefit immediately by protecting the riparian corridor with a newly constructed fence, development of a grazing plan, and reestablishing a healthy riparian corridor. Numerous fish, wildlife, avian and amphibian species that rely on high quality stream and riparian habitats will also benefit from the restoration project.

PART II. ENVIRONMENTAL REVIEW CHECKLIST

3. Evaluation of the impacts of the Proposed Action including secondary and cumulative impacts on the Physical and Human Environment.

A. PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. **Soil instability or changes in geologic substructure?			X		Yes	1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			X		Yes	1b.
c. **Destruction, covering or modification of any unique geologic or physical features?		X				
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			X		Yes	1d.
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other:						

Comment 1a/b. Soils along the stream margin would be disturbed during the installation of willow transplants and sprigs. Soils disturbed by construction will be re-seeded with native vegetation and re-graded banks will be stabilized with the placement of dense sod mats and transplanted willow clumps.

Comment 1d. Short-term increases in turbidity will occur during project construction. To minimize this dynamic, construction will occur during low-flow periods and the operation of equipment in the stream channel will be minimized to the extent practical. The Department of Environmental Quality will be contacted to determine narrative conditions required to meet short-term water quality standards and protect aquatic biota. A 124 permit (Stream Protection Act) will be obtained from MFWP and a 404 permit will be obtained from the U.S. Army Corps of Engineers. The reestablishment of native vegetation and grading of the stream's slopes will decrease further erosion of the bank and siltation of the Big Hole River.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

2. <u>AIR</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. **Emission of air pollutants or deterioration of ambient air quality? (Also see 13 (c).)			X			
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ***For P-R/D-J projects, will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a.)		X				
f. Other:						

2a. The proposed action includes the use of heavy equipment that may temporarily increase emissions and reduce air quality. All equipment will have properly maintained to reduce any short-term changes to the air quality.

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** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

3. <u>WATER</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. *Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X		Yes	3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of floodwater or other flows?			X		Yes	3c.
d. Changes in the amount of surface water in any water body or creation of a new water body?			X		No	3d.
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?			X			3f.
g. Changes in the quantity of groundwater?			X			3g.
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ****For P-R/D-J, will the project affect a designated floodplain? (Also see 3c.)		X				
m. ***For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a.)		X				
n. Other:						

Comment 3a. Short-term increases in turbidity will occur during project construction. To minimize this dynamic, construction will occur at low flows and the operation of equipment in the stream channel will be minimized to the extent practical. The Department of Environmental Quality will be contacted to determine narrative conditions required to meet short-term water quality standards and protect aquatic biota. A 124 permit (Stream Protection Act) will be obtained from MFWP and a 404 permit will be obtained from the U.S. Army Corps of Engineers.

Comment 3c. Approximately 2,600 feet of abandoned channel will be reactivated and the material excavated from the reactivated channel will be used to create approximately 0.41 acres of a back water/wetlands in the old channel. These wetlands will serve to dispense high flow energy in the floodplain and as backwater habitats for numerous fish, wildlife and avian species. The increased channel length will reduce the magnitude of flooding events.

Comment 3d. Approximately 2,600 feet of abandoned channel will be reactivated and the material excavated from the reactivated channel will be used to create approximately 0.41 acres a back water/ wetlands in the current channel.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

These wetlands will serve to dispense high flow energy in the floodplain and as backwater habitats for numerous fish, wildlife and avian species.

Comment 3f. Newly created wetlands (0.41) acres and improved riparian vegetation will filter and store nutrients and organic matter that results in improved water quality.

Comment 3g. Newly created wetlands (0.41) and improved riparian vegetation will improve ground water storage and recharge the aquifer.

- * Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.
- ** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).
- *** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- **** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

4. VEGETATION Will the proposed action result in?	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			X		No	4a.
b. Alteration of a plant community?			X		No	4b.
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?			X		No	4d.
e. Establishment or spread of noxious weeds?			X		Yes	4e.
f. ****For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		X				
g. Other:						

Comment 4a. The project seeks to re-establish native willow species in the riparian areas within the project area. Newly constructed riparian fence will temporarily (5-year period) reduce the amount of available pasture (native and non-native grass species) to the landowner by approximately 125 acres.

Comment 4b. The project seeks to re-establish native willow species in the riparian areas within the project area. Existing riparian fence will temporarily reduce the amount of available cropland (native and non-native grass species) to the landowners by approximately 125 acres. The overall diversity of plant species in the area will not be affected.

Comment 4c. Existing riparian fence will temporarily reduce the amount of available cropland (native and non-native grass species) to the landowners by approximately 125 acres. No sensitive plants will be affected by the proposed project.

Comment 4e. The project will include ground-disturbing activities that may result in the establishment of noxious weeds. The potential for this dynamic to occur will be recognized and reduced by cleaning vehicles and equipment entering and leaving the project site. Also, only certified weed-free mixes will be used for reseeding of disturbed areas. A management plan is also being developed for the project site to control and eliminate noxious weeds after construction of the project under the guidance of FWP's Integrated Noxious Weed Management Plan.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

** 5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?			X		No	5b.
c. Changes in the diversity or abundance of nongame species?			X		No	5c.
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?		X				
h. ****For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f.)		X				
i. ***For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d.)		X				
j. Other:						

Comment 5b. The proposed action is designed to increase the diversity and abundance of animal and bird species including game species.

Comment 5c. The proposed action is designed to increase the diversity and abundance of animal and bird species including nongame species. Species that depend on or frequent riparian areas will benefit due to improved habitat conditions. The recently built riparian fence was constructed to allow species access to and movement through riparian areas within project.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

B. HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Increases in existing noise levels?			X		Yes	6a.
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other:						

Comment 6a. The proposed action includes the use of heavy equipment that may temporarily increase existing noise levels. All equipment will have properly functioning noise reduction equipment to limit noise levels. The project is located in a remote area and no residences exist within the project boundary.

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?			X		No	7a.
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other:						

Comment 7a. Newly constructed riparian fence will temporarily (5-year period) reduce the amount of available pasture (native and non-native grass species) to the landowner by approximately 125 acres. The project includes a section of state Land (T2S, R15W, Sec16). The DNRC will not adjust the Animal Unit Months (AUMs) or current price for the grazing lease even though a portion of the riparian area will be fenced from grazing.

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** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

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8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan, or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. ***For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		X				
e. Other:						

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?			X		No	9c.
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:						

9c. Project will have positive economic impacts by hiring consultant for project oversight and contractor/laborers to complete work. Hiring process will be completed through competitive state contracting process.

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** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:			X		Yes	10a.
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased use of any energy source?		X				
e. **Define projected revenue sources		X				
f. **Define projected maintenance costs.		X				
g. Other:						

10a. FWP will monitor response of vegetation, habitat, and fish and wildlife species. FWP will also develop and monitor grazing plan and noxious weed management plan. All of the necessary monitoring and management activities are included in the Landowner Site Specific Conservation Plans for the Big Hole Arctic Grayling Candidate Conservation Agreement with Assurances Program.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

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** 11. <u>AESTHETICS/RECREATION</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?			X		Yes	11b.
c. **Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report.)		X				
d. ***For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c.)		X				
e. Other:						

Comment 11b. The proposed action would negatively affect aesthetics during project construction because of ground disturbance and the presence of heavy equipment. These negative effects would be relatively short-term, and the number of heavy equipment on-site will be relatively few with only a maximum of two excavators working at one time. Proposed action is expected to have long-term positive impacts to aesthetics of stream and riparian corridors.

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12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. **Destruction or alteration of any site, structure or object of prehistoric, historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ****For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a.)			x			12d.
e. Other:						

Comment 12d. The proposed action will require an individual Army Corp of Engineers 404 permit. A cultural inventory of the project area was conducted on May 8, 2008 by Patrick Rennie (Montana Department of Natural Resources and Conservation). The results of this inventory were provided to State Historical Preservation Office and are currently being reviewed. The project will not begin until a cultural clearance is granted.

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SIGNIFICANCE CRITERIA

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT *					
	Unknown	None	Minor	Potentially Significant	Can Impact Be Mitigated	Comment Index
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources that create a significant effect when considered together or in total.)			X		Yes	13a.
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ***For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e.)		X				
g. ****For P-R/D-J, list any federal or state permits required.						13g.

Comment 13a. Project is expected to have positive impacts to stream function, fish and wildlife habitat and diversity and abundance of numerous fish and wildlife species including fluvial Arctic grayling. (see comment)

Comment 13g. Federal or State Permits Required: Montana Fish, Wildlife & Parks - SPA 124; U.S. Army Corps of Engineers - Section 404 Permit; Department of Environmental Quality - 318 Authorization.

* Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or cannot be evaluated.

** Include a narrative description addressing the items identified in 12.8.604-1a (ARM).

*** Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

**** Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

2. **Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:** None
FWP will be responsible for hiring contractor to complete described work and for oversight of consultant hired to design project.

PART III. NARRATIVE EVALUATION AND COMMENT

Addressed in Part I and Part II.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified through publication in The Dillon Tribune and The Montana Standard and through contact with the local watershed and sports groups. This EA will also be published on the Montana Fish, Wildlife & Parks web page (<http://fwp.mt.gov/default.html>). Public comments can be given at the FWP web page, or in writing to: James Magee, Montana Fish, Wildlife & Parks, 730 N. Montana St., Dillon, MT 59725, or email: mageejames@mt.gov. Comments on the EA will be accepted until 5:00 pm, on February 20, 2009. This level of public involvement is believed adequate for the proposed project.

2. Comment period:

The public comment period for this proposed action is from to 5:00 pm on January 21, 2009 to 5:00 pm on February 20, 2009. Written comment can be mailed to:

James Magee
Montana Fish, Wildlife & Parks
730 N. Montana St.
Dillon, MT 59725
E-mail: mageejames@mt.gov

PART V. EA PREPARATION

1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)? No

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action. FWP concluded from this review that the proposed activities would have a positive impact on the physical and human environment and pose minimal negative effects to the resources. Any minor affects to the physical environment will be short-term and can be mitigated below significance. Long-term consequences of the proposed action will benefit native fish species and their habitat as well as avian, amphibians and other wildlife species that frequent the area.

2. Person responsible for preparing the EA:

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3. List of agencies consulted during preparation of the EA:

Montana Fish, Wildlife & Parks – Fisheries Division and Legal Bureau
Montana Department of Natural Resources and Conservation
U.S. Fish and Wildlife Service
Confluence Consulting, Inc.